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VERIFICATION PANEL MEETING

Tuesday, December 8, 1970

Time and Place: 3:05 p.m. -4:05 p.m., White House Situation Room

Subject: SALT

Participation:

Chairman - Henry A. Kissinger	ACDA - Philip J. Farley Spurgeon Keeny
State - John Irwin Thomas Pickering Frank Perez Seymour Weiss	Justice - Attorney General Mitchell OST - Dr. Edward David
Defense - David Packard Gardiner I. Tucker	Ambassador Llewellyn Thompson
CIA - Richard Helms Carl Duckett	NSC Staff - Dr. K. Wayne Smith Helmut Sonnenfeldt Col. Jack Merritt James Woolsey William Hyland Jeanne W. Davis
JCS - Adm. Thomas Moorer Col. Paul Von Ins	

MORI/CDF
C03321215

NSS/NSC, DOS, OSD,
JCS reviews completed

SUMMARY OF DECISIONS

It was agreed that:

...the Working Group would try to find a new term to replace "non-limited nuclear systems;"

...the Delegation's recommendation for a substantive position on non-limited nuclear systems should be rejected;

...the Working Group should prepare various formulations for rejection of the Soviet proposal on non-limited systems, for consideration by the SRG and presentation to the President;

...to propose at Helsinki a joint study looking toward improvement of the Hot Line;

...the Working Group will prepare various positions to respond to the Soviet NCA ABM proposal.

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Mr. Kissinger: We have a host of issues to consider, and I suggest we begin with the non-limited nuclear systems (what we have been calling forward-based systems), then to the Hot Line, then to ABMs. On the non-limited nuclear systems, the chronology is that the Soviets began by urging us to take these systems into account. They then requested some compensation for limitations in their system, and have now proposed both compensation and limitations on our system.

Mr. Farley: They have also asked that these limitations be "reflected" in some way and may have in mind something beyond what they have already said.

Mr. Kissinger: Now Semenov has suggested that we accept some limitations both on our forward-based systems and our central strategic systems. Can we all agree to use "non-limited nuclear systems" rather than "forward-based systems"? Of course, if we accept a limitation on a non-limited system, it is immediately removed from the non-limited category -- we have a major epistemological problem.

Mr. Packard: The JCS would like to make this "non-limited nuclear-capable systems."

Adm. Moorer: We think it makes it clearer.

Mr. Packard: This would include a lot more in the system -- we have a lot of things that are nuclear-capable -- all our strategic aircraft, for example.

Adm. Moorer: Dual capacity aircraft are one of the problems.

Mr. Packard: We think the JCS definition is too broad. Of X hundred dual-capable aircraft, only about 100 may be dedicated to nuclear use.

Adm. Moorer: But you could shift from non-nuclear to nuclear in about an hour.

Mr. Packard: I think a broader definition would cause more trouble.

Adm. Moorer: If we're talking about banning forward-based systems, we should distinguish between conventional delivery and nuclear delivery.

Mr. Packard: One advantage of talking about non-limited systems is that this includes their short-range missiles. But there is a problem in talking about limiting a non-limited system.

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Mr. Kissinger: Let's try to find a new term.

Mr. Smith: This is an appropriate task for the Working Group.

Mr. Kissinger: We can come back to Admiral Moorer's point when we look at concrete cases. We have two problems: 1) what should our substantive position be, and 2) what position should we take in the closing phase of the Helsinki talks? We will not have to take a formal substantive position before the end of this phase, unless we want to take the position that we won't discuss it. If we don't want to do that, how should we indicate some degree of willingness in the closing stages of Helsinki?

Mr. Farley: The Delegation has recommended we take a substantive position, but in all honesty, I can't urge it. They have a formula similar to those in Group V of Wayne Smith's paper. If it is decided to take no substantive position, that takes care of it. However, if we are willing to discuss it or contemplate being willing to discuss it, we have a tactical problem.

Mr. Packard: This is a very complex issue and needs more consideration. I suggest we hold the line gently, but not too gently, and decide on a position and what to do about it before the next SALT round.

Mr. Kissinger: I see three possibilities: 1) stick with our present position; 2) indicate in a general way that, assuming everything else were agreed, we would be prepared to reassure them that we would not use the non-limited systems to evade the central focus of the negotiations; and 3) the Delegation's position -- to consider a specific proposal, apart from all other agreements, and to tell them that no numerical augmentation of non-limited nuclear delivery systems would be undertaken except in response to changes or increases in theirs. In effect, this would accept a limitation. With regard to the second approach, we could say that if agreement is reached on all other aspects of the issue, we would be prepared to discuss methods by which the non-limited systems would not be used to avoid the central intent of the agreement. Their point is not a frivolous one -- suppose we should deploy 200 F-111's to Europe.

Mr. Packard: We can agree there would be no change in the numbers, but we might want to substitute F-111s for F-4s. The question would be how many.

Mr. Kissinger: The first proposal would stick to our present position.

Mr. Packard: For now.

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Mr. Kissinger: Yes; it doesn't preclude another position for the opening of the next Vienna phase. The second choice would have us agree to look seriously at the non-limited systems with a view that they should not be used as a means to evade the intent of the agreement. The third would have us tell the Soviets now that we would not augment these systems except in response to their changes. These are the three broad choices -- we can refine them into sub-choices if necessary.

Adm. Moorer: I think we are treading on very dangerous ground. We have just had a successful NATO meeting in which we took a firm position. We are committed to a forward strategy, politically and militarily. We also took a firm stand on forward-based systems. If we start to waffle, every-time we send a carrier into the Mediterranean or switch our aircraft around we will get into an argument with the Russians.

Mr. Kissinger: That would be true if we accept the Delegation's position. If we take the second course, we could cover the contingencies of carrier movements, modernization, etc. when we discuss the issue.

Adm. Moorer: Our current situation involves so many factors -- geography, NATO, relations with our allies. We can only lose by easing up on our position. We know we have to take a solid position in the end; why not now?

Mr. Kissinger: (to Mr. Irwin) How do you feel?

Mr. Irwin: I don't support the Delegation's position and I am not opposed to sticking with our present position. In some terms of negotiations, this may be a good position to take. We are in a good position. We have been pretty responsive in these talks and have come around to Option E. They have come back with nothing positive. Their traditional negotiating tactics, of course, are to take a very hard-nosed position and push until they are sure they have exhausted every possibility of our yielding. This indicates that we should stick with our present position. However, we might want to be a little more flexible to see what they might come forth with in the waning days of this phase. On the other hand, it might be helpful if there were a four-month wait.

Mr. Mitchell: How would you phrase a more flexible approach?

Mr. Irwin: Also, we might consider whether this might affect their budget decisions in their Party Congress. They might make their decisions on the basis that the US is standing firm on the forward-based systems. If we could avoid this by some phrasing which was not vital to us, it might be worth doing.

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It could be done by a personal approach from Gerry Smith to Semenov indicating that he might be willing to suggest a review of the US position on examining forward-based systems, but that he doesn't know all the aspects of the Soviet position on limitations on offensive capability. A response on this question, with some specifics, would facilitate his seeking a reexamination of the issue. Or we could phrase it more generally. There are different views in State on this. Some people prefer a position more along the lines of the second option. I don't object to this, but from a negotiating point of view, I lean toward the first option.

Mr. Kissinger: I have recently read a study on American and Soviet negotiating styles in connection with the nuclear test ban treaty, in which the author counted some 300 cases where American negotiators had indicated they would intercede with their own government to get something changed, and no case where a Soviet negotiator had given any indication that he might in any way influence the position of his government. If we go the route Jack (Irwin) suggests, why not make it a formal statement?

Mr. Mitchell: I would be inclined toward the second option if we could phrase it properly.

Mr. Kissinger: You would rather not tell them we refuse to discuss it?

Mr. Mitchell: It is in our interest not to tell them we refuse -- let's not commit ourselves.

Mr. Kissinger: (to Amb. Thompson) What do you think?

Amb. Thompson: It would be useful to have some formulation along the lines that we understand their concern that non-limited systems not upset the major thrust of the agreement and that we will look at the question. However, it would be helpful if we knew more about what they have in mind on the aggregate. With the Party Congress coming up, we shouldn't reject this out of hand.

Mr. Packard: If we get into an MBFR, this is our chip versus strategic nuclear weapons. Also, I don't think we should appear too eager by coming up with two or three alternatives. I think it is desirable not to be too specific.

Mr. Kissinger: (to Mr. Farley) Do you need an answer by the 10th?

Mr. Farley: The meeting is on the 10th. If we do not get answers on some of the other issues today, Gerry (Smith) wants to give a preliminary summing up of where we stand on the August 4 proposal, where they have responded and where we still need answers or indications of their position.

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Mr. Kissinger: (to Mr. Helms) What do you think?

Mr. Helms: I lean toward the first option -- sticking with our present position.

Adm. Moorer: The Soviets have never agreed to talk about their SLCMs or their medium bombers.

Mr. Helms: I have recently reviewed the arguments as to why we didn't want to discuss the forward-based systems, and the points are still good. If we do agree to discuss it, we ought also to get into throw-weights and other things where they have the advantage. We shouldn't slam the door but we shouldn't rush into anything.

Mr. Kissinger: Are we all agreed that the Delegation's recommendation should not be accepted. If so, I see no reason to put it to the President.

All agreed.

Mr. Kissinger: So our choice is between rejecting it out of hand and rejecting it in different ways. The President would have to see the exact formulation. I suggest the Working Group come up with various formulations, ranging from fairly aloof to fairly forthcoming. We can circulate these, amend them in accordance with your views and put them to the President.

Mr. Tucker: We might want to authorize Smith to make a closing statement in Helsinki saying he has recorded all the Soviets have said and that these questions will be explored in Washington. We could include the forward-based question without singling it out.

Mr. Farley: I'm sure that, of the first two choices, Gerry (Smith) would urge the second course rather than stand on our present position.

Mr. Kissinger: There are many variations of the second course. The Attorney General leans toward rejecting their proposal in words that don't look like rejection. Others might look like a deferral, with an indication of consideration at a later time.

Adm. Moorer: I think their whole position is aimed in large degree at NATO. Vague talk will lead inevitably to a gradual weakening of our stand.

Mr. Irwin: In considering the second option, in whatever version, we will need to raise the question of the need for and the degree of consultation with NATO.

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Mr. Farley: That might be a good test of our formulation. If it is something we would be willing to give the Russians we should also be willing to show it to NATO.

Mr. Kissinger: We need a formulation for rejection and various other formulas stopping short of accepting the Soviet proposal. May we now turn to the question of Washington-Moscow Direct Communications.

Mr. Farley: The Soviets have told us the ball is in our court. Gerry (Smith) made a statement on it a week ago.

Mr. Kissinger: The Hot Line now has two links: a cable route through London, Copenhagen, Stockholm and Helsinki, and a high-frequency radio route with a relay point in Tangiers. There is one terminal in the US and we don't know about the Soviet end. The system is relatively slow, is subject to disruption at the single terminal and is dependent on third countries. We have two possibilities for improvement: a new dedicated satellite, or use of a commercial satellite, such as Intelsat or the Soviet Molynia system. A new dedicated satellite would be the best and most secure, but use of a commercial satellite would reduce the vulnerability of the system and the delivery time. If we could agree on a specific proposal it might be a concrete outcome of the Helsinki talks. But we have to agree on what system to propose.

Mr. Packard: We could suggest that the security and reliability should be improved without proposing a particular way to do it.

Mr. Kissinger: We could propose a joint study and put our specific proposals into the study.

Mr. Packard: I agree.

Mr. Farley: We could set up a separate technical meeting or do it as a sideline to the SALT talks. Each side could come in with an initial approach.

Mr. Kissinger: Does everyone agree?

All agreed.

Mr. Irwin: I'd do it as a sideline of the talks rather than independently.

Mr. Kissinger: Let's formulate it in as forthcoming a way as possible, saying we would like to make arrangements for a joint technical study. This way at least one thing would come out of Helsinki.

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Mr. Packard: This would be a good thing.

Mr. Kissinger: Let's work out a formulation. Can we now turn to the ABM question. There are several ramifications: 1) do we want an ABM-only agreement? 2) if not, how do we wind up this phase of the discussion? 3) how do we define an NCA ABM?; proposals have been made to redefine the NCA so that ours would not necessarily be centered around Washington. In any event, we are building an area ABM defense; justifying to the Congress a Minuteman defense; and negotiating with the Soviets on NCA defense. No one has proposed the NCA to Congress. We have to reconcile our SALT position with our action position, and reconcile the rationale for our action position with the hardware we are buying. This is independent of the SALT decisions. We have to deal with this in the next few weeks in connection with the Congressional hearings on Safeguard. We shouldn't close our minds to the fact that we have to take another look at our ABM position. But the immediate operational issue is to get guidance to our Delegation to handle an NCA-tied ABM agreement.

Mr. Farley: One argument for not shooting down an ABM-only agreement would be that, if we are thinking of making a change in our position, we may want to use it in replying to a Soviet ABM proposal.

Mr. Kissinger: How?

Mr. Farley: We could take the position that we both went into the negotiations to talk about both offensive and defensive systems. They shifted their position. If we are going to get off the NCA angle or redefine it, it would be easier for us if we go back to them and say that their ABM-only proposal makes it a different ballgame. I'm not necessarily arguing for this line.

Mr. Kissinger: We would trade the offensive-defensive link for a redefinition.

Mr. Packard: We might say we would agree to stop whatever we've started on ABM if they will stop whatever they've started. -

Mr. Kissinger: That idea had occurred to me too.

Mr. Packard: We would have to tell them that we can't agree on an NCA-ABM without considering offensive systems.

Mr. Kissinger: What is the least committing way to keep it open?

Mr. Farley: We could discuss the proposal on its merits. Say it is inequitable and destabilizing, and that we are not prepared to shift to ABM only for NCA.

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If, after the recess, we want to pick it up in different terms, we could explain that we consider it equitable and stabilizing to recognize the offensive-defensive relationship.

Mr. Irwin: I agree with Phil (Farley).

Mr. Mitchell: I agree with Farley's position.

Amb. Thompson: If it can be formulated so as to throw in something positive and still be in our favor, it would be good. I'm not sure we can work out a formula in time.

Mr. Kissinger: I agree that it's probably too short a time.

Mr. Mitchell: Would any proposal hamper Dave's (Packard) position?

Mr. Packard: Our position is hampered no matter what.

Mr. Mitchell: Would it be further hampered?

Mr. Kissinger: We have to know more about what we're talking about before we make any specific proposal. Let's get from the Working Group varying degrees of positions: a flat rejection; rejection on the basis of its inequity but leave open the possibility of coming back to it; a slightly more forthcoming position which would open up the possibility of modification.

Mr. Farley: We will need this this week.

Mr. Kissinger: (to Wayne Smith) Can we do it in 48 hours?

Mr. Farley: They can't raise it on Thursday and they will be in Leningrad on Saturday and Sunday. If we can have it by the end of the week.

Dr. Smith: We can do it.

Adm. Moorer: We must remember that we are into the present system to the tune of \$400 million. We would have a real problem at home if we went into an ABM-only system.

Mr. Packard: There have been some suggestions that we try to define the NCA as other than Washington, but they're not very practical.

Mr. Kissinger: It may not actually work with the various radii.

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Mr. Packard: We could rationalize it as protection from abrogation, but it wouldn't be a very good deal. We could hint that we are not considering NCA as Washington only, but it wouldn't be a very good solution from our standpoint.

Mr. Kissinger: My instinct tells me that the next time we go back with a proposal, we shouldn't throw out vague thoughts, let them staff them out, then appear to change our minds.

Mr. Irwin: We should have our meetings on survivability before we come back to this.

Mr. Kissinger: I was going to discuss radar definition but I am overdue at another meeting. Let's make it part of the ABM study. To summarize, the Working Group will immediately come up with a very forthcoming proposal for a Hot Line study. They will, in the next 48 hours, develop various formulations for responding to the proposal on non-limited systems, and do the same on NCA ABM proposal. We will put them to the President and hope to get an answer before the end of the week.

Mr. Irwin: May I raise the Delegation's trip to Leningrad. Smith has asked whether he should lay a wreath in a World War II cemetery, which has been suggested to him. I see no problem with this.

Mr. Kissinger: He has no choice; we were allies.

Mr. Packard: Also, we need to consider whether to leave Option E on the table or withdraw it.

Mr. Irwin: We can't withdraw it.

Mr. Kissinger: Our survivability studies may lead us to a different conclusion.

Mr. Farley: We might include a phrase or two in a wrap-up statement saying each of us would examine and assess our positions. We should not withdraw it but leave the door slightly open.

Mr. Kissinger: Don't withdraw it. Let's look at the ABM question and the impact of the survivability study.

Mr. Farley: We will tell Smith to make an anodyne statement on Thursday, emphasizing the points on which the Soviets have not responded. With regard

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to the communique, we believe it should be routine, less substantive than that following Vienna, and that we should not push them on timing for resumption if they want to wait until after their Party Congress.

Mr. Sonnenfeldt: In the wrap-up statement we should have a sentence of demurral on the Soviet definition of national security. We shouldn't accept their definition.

Mr. Packard: We might go through the negotiating record carefully and see if there are other places we might want to enter demurrals.

Mr. Kissinger: We could make a positive statement of what we understand to be the meaning.

Mr. Sonnenfeldt: Or say that their definition is a unilateral one.

Mr. Kissinger: Just reassert what we believe.

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